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VIA ECF

The Honorable Lorna G. Schofield
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *Shinano Kenshi Corp. et al. v. Honeywell Int'l Inc.*, Case No. 22 CV 3704 (LGS)

Dear Judge Schofield:

This firm is counsel to Plaintiffs Shinano Kenshi Corporation and Shinano Kenshi Co., Ltd. (collectively, “**Shinano**”). We write jointly with Defendant Honeywell International Inc. (“**Honeywell**”) pursuant to the Court’s Case Management Order, entered on July 22, 2022 (Dkt. No. 24) (the “**Order**”), to request the extension of certain discovery deadlines for good cause.

I. The Parties’ Efforts to Meet the Court-Ordered Discovery Deadlines and Need for an Extension of Discovery Deadlines

a. Discovery Propounded

The Parties have worked diligently to meet the Court-Ordered Discovery Deadlines. On July 28, 2022, Shinano served its First Set of Requests for the Production of Documents on Honeywell. After Shinano agreed to a brief extension of the response deadline, Honeywell served its Responses and Objections on September 1, 2022. On September 16, 2022, Shinano requested to meet and confer concerning Honeywell’s objections regarding certain categories of documents. The parties were able to reach an understanding on some of the requests while others are likely to need this Court’s intervention. At this point, however, Shinano will need to review Honeywell’s production before prematurely involving the Court.

On September 15, 2022, Honeywell served its First Set of Requests for the Production of Documents on Shinano. After Honeywell agreed to a brief extension, Shinano served its Objections and Responses to Honeywell’s First Set of Requests for the Production of Documents on October 31, 2022. Shinano is still in the process of culling documents for production.

On September 21, 2022, the Parties exchanged their First Set of Interrogatories. After both Parties agreed to a brief extension of the response deadline, Shinano and Honeywell both intend to serve their Objections and Responses to the First Sets of Interrogatories by November 11, 2022.

b. Need for Extension of Discovery Deadlines

The Parties are working diligently to collect and produce documents, take depositions, and serve requests to admit in accordance with this Court's deadlines. However, this is a complicated business case involving numerous custodians, foreign language documents and, as discussed above, may require this Court's intervention relating to documents that Shinano maintains are central to the fraud claims in this matter, but which Honeywell maintains are not relevant or proportional to this action. Assembling the documents to be produced (including foreign language documents), reviewing the respective productions, and accounting for the probable need to bring these issues to this Court's attention will take additional time for which the Court's current schedule does not allow.

Accordingly, good cause exists to extend the discovery deadlines in the Court's Case Management Plan by eight weeks. An extension of eight weeks will ensure that responsive documents are produced in advance of any scheduled depositions in this action. Moreover, counsel for Honeywell and Shinano have substantial pre-existing obligations in other cases, including scheduled arbitrations, in December 2022 and January 2023, which are likely to impact the Parties in meeting the current deadlines in this action.

c. The Parties Propose the Case Deadlines Be Amended by Eight Weeks as Follows

For these reasons, the Parties respectfully request an extension of the deadlines in the Case Management Plan as set forth below.

Section of Case Management Plan	Original Deadline	Proposed Amended Deadline
8(a): Completion of Fact Discovery	December 19, 2022	February 24, 2023
8(c): Production of Responsive Documents	November 11, 2022	January 6, 2023
8(e): Completion of Depositions	February 2, 2023	March 30, 2023
8(f): Service of Requests to Admit	November 14, 2022	January 23, 2023
9(b): Completion of Expert Discovery	February 3, 2023	March 31, 2023
13(b): Submit Joint Status Letter	January 4, 2023	March 13, 2023
13(c): Pre-Motion Conference	February 22, 2023 at 4:10 p.m.	April 19, 2023 at 11:30 a.m.

The Parties have not sought any extensions of discovery deadlines from the Court in this matter. Moreover, both Parties consent to the extension of the deadlines as detailed above.

We thank the Court for its attention to this matter.

Respectfully Submitted,

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